
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

Greater Houston All-Pro Auto Interiors,

§

Plaintiff,

§

versus

§

Civil Action H-12-3547

Dent Wizard International Corporation,

§

Defendant.

§

Mediation Order

1. *Appointment.*

Within five days the parties will select a mediator and notify the court. Mediation is a mandatory, nonbinding settlement conference in which the parties attempt to resolve their differences with the assistance of a neutral third-party.

2. *Procedure.*

A. Mediation must occur by December 6, 2013.

B. All proceedings in a mediation are confidential and privileged. No subpoena, summons, or discovery paper shall be served on a participant en route to or from or at a mediation session.

C. Within ten days of the mediation, the mediator will file with the clerk the memorandum required by the local rules. No information about the mediation, other than that memorandum, may be given to the court by anyone.

3. *Requirements.*

A. Counsel and the parties shall endeavor in good faith to resolve the case through mediation.

- B. Each party must be present during the entire mediation. Individual parties must appear in person; others must appear by a principal, partner, officer, or other official with authority to negotiate and to commit.
- C. If insurance companies must be involved in a settlement, a representative from each company with authority to negotiate and to agree must attend the mediation.

4. *Fee.*
The mediator, in consultation with the parties, will determine the fee for the mediation. The parties shall divide the fee equally per capita unless otherwise agreed. Fee disputes will be heard by the court by motion *after* the mediation.

5. *Scheduling Order.*
All dates in the scheduling order are suspended. If mediation is unsuccessful, the court will enter a scheduling order.

Everything is stayed except for extraordinary emergency motions.

Signed on October 29, 2013, at Houston, Texas.



Lynn N. Hughes
United States District Judge